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Message Text

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PAGE 01 GUATEM 02109 052254Z
ACTION EB-08

INFO OCT-01 ARA-06 ISO-00 CIAE-00 COME-00 DODE-00
DOTE-00 FMC-01 INR-07 NSAE-00 CG-00 DLOS-09
OES-06 L-03 TRSE-00 /041 W
----------060425Z 074335 /73
R 052216Z APR 77
FM AMEMBASSY GUATEMALA
TO SECSTATE WASHDC 5484

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E.O. 11652:UN/A
TAGS: EWWT GT
SUBJECT: GUATEMALAN DISCRIMINATORY MARITIME LEGISLATION

REF: STATE 2047

1. PURSUANT TO DISCUSSION OF INTEREST OF AMERICAN CHAMBER OF COMMERCE OF GUATEMALA IN SHIPPING PROBLEM, DISCUSSED REFTEL, THE FOLLOWING CABLE WAS SENT BY AMCHAM TO THE FEDERAL MARITIME COMMISSION ON APRIL 2, 1977.

2. QUOTE. KNOWING THAT FMC CONSIDERING PUBLISHING INTENT TOWARD SANCTIONS AGAINST GUATEMALAN STEAMSHIP LINES FOR ALLEGED USE OF DISCRIMINATORY LEGISLATION ADVERSELY AFFECTING UNITED STATES SHIPPING AND CONSIDERING THERE IS PROJECT OF LAW IN GUATEMALA CONGRESS WHICH COULD ELIMINATE PRESENT DISCRIMINATORY FEATURES WE ASK YOUR COMMISSION TO HOLD FOR SIXTY DAYS ANY DECISION AFFECTING MATTER BECAUSE RETALIATORY MEASURES WOULD HAVE DELETERIOUS EFFECT ON LEGISLATION IN GUATEMALAN CONGRESS AND SERIOUSLY HAMPER AMICABLE SOLUTION IN GUATEMALAN USA SHIPPING RELATIONS.

3. QUOTE. WE HAVE ASSURED MINISTER OF ECONOMY OUR EARNEST DESIRE TO BE HELPFUL IN PREVENTING SERIOUS MISUNDER-
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PAGE 02 GUATEM 02109 052254Z

STANDING BETWEEN OUR GOVERNMENTS IN THIS DISAGREEMENT WHICH COULD BE SOLVED WITH GOODWILL AT EACH CAPITAL.

4. QUOTE. CONSEQUENTLY THIS REQUEST TO MARITIME COMMISSION IS FOR SIXTY DAY GRACE PERIOD BEFORE PUBLISHING INTENT TOWARD SANCTIONS IN WHICH TIME AMCHAM WILL CALL ON VAST FUND OF FRIENDSHIP OF GUATEMALAN PRESIDENT AND CONGRESS

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

TOWARD USA FOR EARLY RESOLUTION.END QUOTE

5. A RESPONSE WAS RECEIVED FROM THE FEDERAL MARITIME COMMISSION APRIL 4, SIGNED BY KARL BAKKE, AS FOLLOWS.

6. QUOTE. PROPOSED ACTION BY FMC REFERRED TO IN YOUR TELEGRAM WAS FIRST CONTEMPLATED IN 1975 AND HAS BEEN REPEATEDLY POSTPONED OVER THE LAST TWO YEARS IN AN EFFORT TO REACH AMICABLE SOLUTION WITH GUATEMALAN AUTHORITIES.

7. QUOTE. FMC WILL ISSUE THE PROPOSED RULE ON MAY 9, UNLESS SATISFACTORY SOLUTION HAS BEEN IMPLEMENTED PRIOR TO THAT DATE. FMC CONVINCED THAT FURTHER POST-PONEMENT WOULD SERVE NO USEFUL PURPOSE. ACCORDINGLY, YOUR REQUEST FOR 60-DAYS POSTPONEMENT MUST BE DENIED. END QUOTE.

8. COMMENT: CHAMBER OF COMMERCE INITIATIVE HAS PROMOTED GOODWILL WITH MINISTER OF ECONOMY. AFTER SHOWING THE MINISTER THE EXCHANGE OF CABLES, CHAMBER UNDERTOOK TO ADVISE ITS MEMBERSHIP AND OTHER INTERESTED PARTIES OF THE NEED FOR RESPONSIVE ACTION ON PART OF GUATEMALAN GOVERNMENT. MINISTER REPORTEDLY SAID THAT GUATEMALAN CARRIERS ARE BECOMING RECONCILED TO NECESSITY OF DEROGATING DEGREE 41-71 AND ADOPTING FERNANDEZ BILL. BOSTER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Concepts: MARITIME LAW, DISCRIMINATION
Control Number: n/a
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Sent Date: 05-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
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EO Systematic Review
22 May 2009
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